IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JAIPUR BENCH, JAIPUR

O R D E R

S.B. CRIMINAL REVISION PETITION NO. 295/2007

ASHOK KUMAR Vs. SMT. LAXMI

DATE: 03.04.2007.

HON'BLE MR. K.S. RATHORE, J.

Mr. Biri Singh with
Mr. Kamlendra Sihag for the petitioner.

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The instant criminal revision petition under Section 397 r/w Section 401 Cr.P.C. is directed against the order dated 17.02.2007 passed by the Civil Judge (Jr. Division) & Judicial Magistrate Ist Class, Sambhar Lake, District Jaipur in Interim Maintenance Application No. 57/2006, whereby the application moved by the respondent-wife for interim maintenance has been allowed and maintenance @ Rs. 1,000/- per month has been granted in favour of the respnodent from the date of filing of the application.

Learned counsel for the petitioner prayed that the maintenance awarded to the respondent by the Court below should be awarded from date of passing of the order i.e. 17.02.2007, whereas the same has been awarded from the date of filing of the application.

Having considered the submissions made by the learned counsel for the petitioner and looking to the facts and circumstances of the case, in the interest of justice, I deem it proper to modify the impugned order dated 17.02.2007 passed by the Court below to the extent that the order of interim maintenance will be effective from the date of passing of the judgment i.e. 17.02.2007 and not from the date of filing of the application.

Accordingly, the impugned order dated 17.02.2007 passed by the Civil Judge (Jr. Division) & Judicial Magistrate First Class, Sambhar Lake, District Jaipur is modified as indicated herein above and the revision petition stands disposed of.

(K.S. RATHORE),J.

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